

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Loren L. Speziale, Esquire  
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Attorney for Creditor,  
Santander Bank, N.A.

In Re:

MICHAEL SEAN RAGIEL aka SEAN RAGIEL  
DEBTOR



Order Filed on October 4, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 23-12965-CMG  
Judge: Christine M. Gravelle  
Hearing Date(s): Sept. 26, 2023  
Chapter: 11

Recommended Local Form

☒ Followed

☐ Modified

**ORDER RESOLVING MOTION TO VACATE STAY  
AND/OR MOTION TO DISMISS  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

**DATED: October 4, 2023**

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

Applicant: Santander Bank, N.A.  
Applicant's Counsel: Loren L. Speziale, Esq.  
Debtor's Counsel: Geoffrey P. Neumann, Esq.  
Property Involved ("Collateral"): 198 Deer Haven Road, Bedminster, NJ  
Relief sought: ☒ Motion for relief from the automatic stay  
☐ Motion to dismiss  
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 5 months, from May, 2023 to September, 2023.
- ☒ The Debtor is overdue for 5 payments at \$ Variable per month.
- ☐ The Debtor is assessed for        late charges at \$                      per month.
- ☐ Applicant acknowledges receipt of funds in the amount of \$                      received after the motion was filed.

Total Arrearages Due \$ 12,134.70.

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$                     . Payment shall be made no later than                     .
- ☐ Beginning on                     , MONTHLY payments shall continue to be made in the amount of \$                     .
- ☐ Beginning on                     , additional monthly cure payments shall be made in the amount of \$                      for                      months.

☒ The amount of \$ 12,134.70 shall be capitalized in the debtor's Chapter 11 plan. The debtor's monthly payment to the Chapter 11 Trustee is modified to be \$ \_\_\_\_\_ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ Regular monthly payment: Santander Bank, N.A.  
450 Penn Street, PA-450-FB1  
Reading, PA 19602

☐ Monthly cure payment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 11 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorneys fees of \$ 650.00, and costs of \$ 181.00.

The fees and costs are payable:

☒ through the Chapter 11 plan.

☐ to the Secured Creditor within \_\_\_\_\_ days.

☐ Attorneys' fees are not awarded.

In re:  
Michael Sean Ragiel  
Debtor

Case No. 23-12965-CMG  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Oct 04, 2023

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 06, 2023:

Recip ID	Recipient Name and Address
db	Michael Sean Ragiel, 198 Deer Haven Rd, Bedminster, NJ 07921-2522

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 06, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 4, 2023 at the address(es) listed below:

Name	Email Address
Aleisha Candace Jennings	on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing ajennings@raslg.com
Angela Catherine Pattison	on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING apattison@hillwallack.com apattison@ecf.courtdrive.com
Denise E. Carlon	on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Toyota Motor Credit Corporation bk@stewartlegalgroup.com
Geoffrey P. Neumann	on behalf of Debtor Michael Sean Ragiel geoff.neumann@gmail.com timothy.neumann25@gmail.com;btassillo@aol.com;esq.geoffrey.pn.b127774@notify.bestcase.com
Loren L. Speziale	on behalf of Creditor c/oLoren L. Speziale Santander Bank N.A. lspeziale@grossmcginley.com jkacsur@grossmcginley.com
Margaret Mcgee	on behalf of U.S. Trustee U.S. Trustee maggie.mcgee@usdoj.gov

District/off: 0312-3

User: admin

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Date Rcvd: Oct 04, 2023

Form ID: pdf903

Total Noticed: 1

Maria Cozzini

on behalf of Creditor LoanCare LLC mcozzini@sternlav.com

Timothy P. Neumann

on behalf of Debtor Michael Sean Ragiel timothy.neumann25@gmail.com  
btassillo@aol.com;geoff.neumann@bnfsbankruptcy.com;geoff.neumann@gmail.com;neumann.timothyb127774@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10